

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2000-0071-S - ORDER NO. 2000-651  
AUGUST 10, 2000

IN RE: Application of Condor Environmental, Inc.     )  
for Approval of a Monthly Rate for the     )  
Operation and Maintenance of the Pump     )  
Station in the Ascot Subdivision in Greenville     )  
County, South Carolina.     )

ORDER APPROVING *now*  
SERVICE AREA, RATE,  
AND AGREEMENT

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Application of Condor Environmental, Inc. (Condor or the Company), a sewer utility, requesting approval of a monthly rate for the operation and maintenance of the pump station located in the Ascot Subdivision in Greenville County, South Carolina. Condor requests that we establish a flat monthly rate of \$1,913.98.

Pursuant to the instructions of the Commission's Executive Director, the Company published a Notice of Filing in newspapers of general circulation, and mailed a copy of said Notice of Filing to each affected customer. Condor furnished affidavits to show that it had complied with the instructions of the Executive Director. No Protests or Petitions to Intervene were received.

A hearing was held on July 12, 2000 at 10:30 AM in the offices of the Commission, with the Honorable William Saunders, Chairman, presiding. Condor was represented by Charles Groves, Esquire. Condor presented the testimony of Sam Weaver, President of the Company. The Commission Staff (the Staff) was represented by F. David Butler, General Counsel. The Staff presented no witnesses.

Weaver testified that the Company wishes to serve the Ascot Subdivision in Greenville County, South Carolina, which will eventually consist of approximately 190 homes. Condor will have only one customer, however, and that is the Ascot Homeowners Association. The Company will be responsible for only the lift station. Anything downstream or upstream will be the responsibility of Metropolitan Sewer Authority. Additionally, under the scenario set up by the Company, it will not be responsible for any of the infrastructure of the Ascot Complex. The Company notes that it has a written lift operation agreement with Ascot, and all appropriate permits to operate the pump station.

With regard to the pump station itself, Weaver notes that there are two submersible pumps in the lift station. There is an alarm feature built into the design of the lift pumps before an overflow can occur. Also, the pump station is equipped with an emergency generator if power is lost.

The Company is requesting that it be allowed to bill the Ascot Homeowners Association at the rate of \$1,913.98 per month. The Company states its belief that the proposed rate fairly distributes the cost to the consumer of providing the service, while allowing the utility a reasonable profit. Condor states that the rate requested is reasonable, fair, responsible, non-discriminatory, and justified in light of the customer needs, the Company's requirements to meet the customers' needs, and the Company's commitment to do so in compliance with regulations of the Commission, DHEC, and other regulatory agencies with jurisdiction over the Company. We grant the requested rate and approve establishment of the service area. The rate yields an operating margin of 13.04%.

We have examined the agreement entered into by the parties in this case, and note that although Condor can terminate the agreement upon ninety (90) days prior written notice to the Ascot Homeowners Association, Condor must identify and the Association must approve a successor entity that is properly qualified and licensed to enter into an Agreement to operate the pump station. Condor must be responsible for the continued performance of its duties and obligations under the agreement until the successor entity has assumed the same obligations. The Agreement also provides a methodology for the Association to terminate the Agreement under certain conditions. We approve the agreement.

IT IS THEREFORE ORDERED:

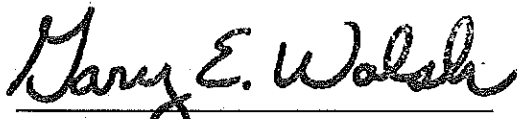
1. That the establishment of the service territory is granted as requested.
2. That the requested rate is granted, as shown herein, and as shown on Appendix A as attached hereto.
3. That the agreement is approved.
4. That the Company shall keep its books according to the NARUC system of accounts for sewer utilities.

5. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)